

MINUTES

**CITY OF WARR ACRES
REGULAR CITY COUNCIL MEETING
TUESDAY
JUNE 1, 2004
7:00 P.M.**

1. The meeting was called to order at 7:00 p.m. Declaration of a quorum present was given. The Flag salute was lead by Chief Rob Carter and Invocation was given by Michael Anderson, Warr Acres Police Chaplin.

ROLL CALL

PRESENT

Mayor Marietta Tardibono
Vice-Mayor Tom Smith
Councilwoman Leslie Owens
Councilman Jimmy Alexander
Councilman Mike Gossman
Councilman Bob Wehba
Councilman Justin Frisbie
Councilman Barry Curl
Councilwoman Nancy Olson

ABSENT

DEPARTMENT HEADS AND CONSULTANTS PRESENT

Pamela McDowell-Ramirez, City Clerk
Roger Patty, Police Chief
Rob Carter, Acting Fire Chief
Luke Simms, City Attorney
Mike Turman, City Inspector
Scott Barrett, City Engineer
Wiley Rice, Jr., City Planner

2. Questions and Comments from Warr Acres Residents.

Connie Wehba-stated that she would like to see the council move forward and get the TV and audio system fixed. She also addressed the Mayor stating that in the past she did not feel the Mayor treated her in a polite manner and asked the Mayor why this was. The Mayor stated that she did not think that she had treated her badly, however, if she had she was sorry.

The Mayor read a letter from Mr. and Mrs. Fisher which stated their appreciation for the job Inspector Turman did in assisting them in a recent situation.

3. CONSENT DOCKET: (individual items may be deleted from the consent docket for discussion and action under #4.

A. Approval of Minutes – Regular City Council Meeting of May 4, 2004 and May 18, 2004 and Special Council/Town Hall Meeting of May 3, 2004.

B. Approval of Expenditures – General Fund \$ 29,562.70
Street & Alley \$ 6,588.10

C. Approval of Proposed Expenditures for June 2004. ****

D. Sales Tax History Report. ****

E. Receive Planning Commission minutes for May 11, 2004. (Not yet approved by the Planning Commission) ****

F. Receive Traffic Commission minutes for May 20, 2004. (Not yet approved by the Traffic Commission) ****

G. Approval to pay McAfee and Taft \$489.90 from the Salt Creek case mediation, John Hermes.

H. Approval of Traffic Commission recommendations for signage at the corner Woodcreek/Roman Road and Woodcreek/Bryant Court.

I. Approval to surplus one set of non-usable push bars from the Police Department.

Councilman Frisbie asked that item A since different members were absent from each of the meetings the minutes should be voted on separately. Councilwoman Owens asked to pull item F.

Motion by Frisbie, second by Alexander to approve the remaining items on the consent docket. Poll vote: Alexander, yea; Owens, yea; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, yea; Smith, yea; Olson, yea and Tardibono, yea.

Motion Passed Unanimously.

4. Discussion and possible action on items removed from the consent docket.

Motion by Frisbie, second by Owens to approve the minutes from the May 3, 2004 and May 4, 2004 meetings. Poll vote: Alexander, yea; Owens, yea; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, yea; Smith, abstain; Olson, yea and Tardibono, yea.

Motion Passed.

Motion by Alexander, second by Olson to approve the minutes from the May 18, 2004 meeting. Poll vote: Alexander, yea; Owens, yea; Gossman, abstain; Wehba, yea; Frisbie, abstain; Curl, yea; Smith, abstain; Olson, yea and Tardibono, yea.

Motion Passed.

Councilwoman Owens asked if all signs needed to be recommended by the traffic commission or if the administration could take care of these. Chief Patty stated that he can, in an emergency, have temporary signage placed and then request approval from the council for permanent signage.

Motion by Owens, second by Frisbie to approve item F. Poll vote: Alexander, yea; Owens, yea; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, yea; Smith, yea; Olson, yea and Tardibono, yea.

Motion Passed Unanimously.

5. Receive reports from Staff: Police, Fire, City Clerk, City Inspector, Street, Sanitation, Sewer, City Engineer, City Planner.

The Mayor announced that if there were any citizens who had deaf children they should contact the city so that signs can be placed on the street for the safety of the children.

Councilwoman Owens asked what the proper procedure was to request that a street be repaired. She stated several different areas that needed repair. The Mayor told her to get with Street Supervisor Johnny Dickson.

The Mayor said she was happy to have Ann Arbor re-opened and that it looked beautiful. She thanked Bob Wehba and Scott Barrett for the work they had done.

The Mayor announced that on Wednesday there would be city wide curb service since there was no service on Monday because of the Memorial Day holiday.

Scott Barrett-stated the final inspection would be done on Friday for Ann Arbor and that all the signs that were taken down need to be put back up. He also stated that all paperwork was completed for MacArthur.

Johnny Dickson-stated that the stop signs were put back up by ODOT and the poles they used were not the same as what the city uses so he would need to purchase brackets before street markers could be installed.

6. Discussion and possible action on finding a CPA firm to Audit the city.

Clerk Ramirez stated that she had prepared a comparison sheet of all the firms that had provided quotes for services. The council looked at the list and made their recommendation. It was mentioned that Havern, Behrens and Heim are the auditors for Bethany and the Bethany/Warr Acres Trust and have been servicing them for many years.

Motion by Smith, second by to accept the proposal from Havern, Behrens and Heim. Poll vote: Alexander, yea; Owens, yea; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, yea; Smith, yea; Olson, yea and Tardibono, yea.

Motion Passed Unanimously.

7. Discussion and possible action on a review of the city's code concerning pet licenses. *Wehba* ****

Councilman Wehba stated that he had been nudged to get something done about pet licenses. He stated that the only people that pay for licenses every year are being penalized. He said that once an animal is licensed then it should not have to be renewed each year. Animal Control officer Darryl Goodman stated that the licensing of animals makes it easier for him to do his job and it helps him to be able to get the pet back to the owner quickly and therefore they are not charged pick-up fees. Councilman Smith stated that the owners need to be penalized for allowing their pet to run at large. It was decided that there needed to be changes made to the Ordinances and Mr. Goodman was asked to work with the Attorney on getting changes made.

8. Discussion and possible action on how to handle maturing CD's and options on other ways to invest the money.

Councilman Frisbie stated that he thought the cd's should not be renewed and the money should be placed in a interest bearing checking account or a money market account.

Motion by Frisbie, second by Owens to not renew any maturing cd's and to hold them in a interest bearing checking account or money market account. Poll vote: Alexander, yea; Owens, yea; Gossman, yea; Wehba, nay; Frisbie, yea; Curl, yea; Smith, yea; Olson, nay and Tardibono, yea.

Motion Passed.

9. Discussion and possible action on closing the Street and Alley, Insurance Contingency, Reserve for Capital Replacement, Juvenile, Fire Donations and Warr Acres Redevelopment Authority Funds and transfer the remaining equity at June 30, 2004 to the General Fund and retain the restrictions as to use up to expended and open Funds for CIP (MacArthur Project) and Sewer Maintenance.

The recommendation was made by Mike Crawford at a budget workshop to consolidate the funds and open two new funds in order to a better understanding of where the city's money is and to make it possible for the staff to prepare a balanced budget.

Motion by Frisbie, second by Owens to approve the closing of certain funds and open two others. Poll vote: Alexander, yea; Owens, yea; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, yea; Smith, yea; Olson, yea and Tardibono, yea.

Motion Passed Unanimously.

10. Discussion and possible action on finding ways to keep the city financially sound.

Councilwoman Owens read an excerpt from the Daily Oklahoman that had Warr Acres tax rate at 2%. She stated that the next lowest rate was 2.75% at Yukon and they had just past a sales tax increase to make their rate 3.75%. Councilman Wehba stated that the city was looking at using 100% revenue estimates in order to make the 04-05 budget and there was no rainy day fund not even a rainy day sprinkle. He stated that the city needed to find a way to correct the problem now. Councilman Smith said that the city needs funds now, they have plans for the future but the funds are needed now. He stated that the city needed to look at a sales tax increase or bond issue so the city could move forward, if not then the city would die. Councilman Wehba stated his concern about taking money from the Economic Development to repay the General fund, because when the dealership quits paying their rent the city is going to need to be able to make the payments. Jessie Simmons told the council that they walked into a bad situation and the money problems are not their fault. The city is now in a position that they are going to have to do something. Councilwoman Owens stated that the city needed to look at all options. Councilman Smith stated that 94% of the city's sale tax actually comes from outside sources. Councilwoman Owens stated that even if the city were to raise the tax rate Warr Acres would still be the lowest. The Mayor stated that a tax proposition would need to be on a Special election and not on the November ballot since there were so many questions on the November ballot already. She stated that the city needed the citizen's full attention for a proposal. It was mentioned that any increase would need to be placed in a trust and kept separate for control. Councilman Frisbie stated that something needed to be done so that next year at budget time the city won't have the some problems. The Mayor stated that the city needed the help of the citizens. A committee was appointed by the Mayor to look at revenue ideas. The committee consisted of Councilmen Smith, Wehba and Frisbie and Jessie Simmons.

11. Questions and comments from Council members.

Councilman Alexander-stated it was nice to Councilman Smith back.

Councilwoman Owens-said she would get with Johnny Dickson on the streets that need fixed.

Councilman Wehba-stated an item needed to be on the next agenda concerning radios.

Councilman Curl-wanted an explanation concerning the financial reports the council has been receiving each month that showed the city was ahead of projections. He stated that he wanted to know where all the money went. The Clerk stated that the city is ahead of projections and spending less than projected, however, the revenue is based on a 90% figure so the reports will always show a better picture.

Councilman Smith-stated that he just wanted the video and audio problem taken care of. If it meant going with one company for the video and another for the audio it just needed to be done.

12. Any Old or New Business (“New Business” is defined by the Open Meeting Act as any matter not known about or which could not have been reasonably foreseen prior to the time of posting of the agenda of a (“surprise nature”)).

None.

13. Adjournment.

Motion by Frisbie, second by Curl to adjourn. Poll vote: Alexander, yea; Owens, yea; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, yea; Smith, yea; Olson, yea and Tardibono, yea.

Motion Passed Unanimously.

The meeting was adjourned at 8:19 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk

MINUTES

**CITY OF WARR ACRES
PUBLIC WORKS AUTHORITY MEETING
TUESDAY
JUNE 1, 2004
7:00 p.m.**

(Following completion of Regularly scheduled City Council meeting)

1. The meeting was called to order at 8:26 p.m. Declaration of a quorum present was given.

ROLL CALL

PRESENT

ABSENT

Chairwoman Marietta Tardibono
Vice-Chair Tom Smith
Trustee Justin Frisbie
Trustee Leslie Owens
Trustee Jimmy Alexander
Trustee Mike Gossman
Trustee Bob Wehba
Trustee Barry Curl
Trustee Nancy Olson

2. Approve the minutes of the Regular Warr Acres Public Works Authority Meeting of May 4, 2004. ****

Motion by Wehba, second by Gossman to approve the minutes. Poll vote:
Alexander, yea; Owens, yea; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, yea;
Smith, abstain; Olson, yea and Tardibono, yea.

Motion Passed.

3. Approve payment of claim in the amount of \$56,362.13 to the Bethany-Warr Acres Public Works Authority for the Warr Acres portion of the Joint Trust and Bond Retirement for the month of May, 2004. ****

Motion by Wehba, second by Frisbie to approve the payment of the claim. Poll vote: Alexander, yea; Owens, yea; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, yea; Smith, yea; Olson, yea and Tardibono, yea.

Motion Passed Unanimously.

4. Adjournment.

Motion by Wehba, second by Olson to adjourn. The meeting was adjourned at 8:29 p.m. by acclamation.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk

MINUTES

MEETING OF THE TRUSTEES OF THE WARR ACRES ECONOMIC DEVELOPMENT AUTHORITY

**5930 NW 49TH STREET,
WARR ACRES, OKLAHOMA**

TUESDAY

JUNE 1, 2004

7:00 p.m.

**(Following the completion of the Regular City Council Meeting & WA Public Works
Authority Meeting)**

1. The meeting was called to order at 8:29 p.m. Declaration of a quorum present was given.

ROLL CALL

PRESENT

Chairwoman Marietta Tardibono
Vice-Chair Tom Smith
Trustee Justin Frisbie
Trustee Leslie Owens
Trustee Jimmy Alexander
Trustee Mike Gossman
Trustee Bob Wehba
Trustee Barry Curl
Trustee Nancy Olson

ABSENT

2. Approval of Minutes of the Meeting of Economic Development Authority Meeting of May 4, 2004, and Special Meeting of May 18, 2004. ****

Motion by Frisbie, second by Curl to approve the minutes of the May 4, 2004 meeting. Poll vote: Alexander, yea; Owens, yea; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, yea; Smith, abstain; Olson, yea and Tardibono, yea.

Motion Passed.

Motion by Curl, second by Alexander to approve the minutes of the May 18, 2004 meeting. Poll vote: Alexander, yea; Owens, yea; Gossman, abstain; Wehba, yea; Frisbie, abstain; Curl, yea; Smith, abstain; Olson, yea and Tardibono, yea.

Motion Passed.

3. Approval of claim for Smith and Associates for brochures packets for \$2,575.00.

Motion by Owens, second by Frisbie to approve the payment of the claim. Poll vote: Alexander, yea; Owens, yea; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, yea; Smith, yea; Olson, yea and Tardibono, yea.

Motion Passed Unanimously.

4. Discussion and possible action on authorizing the partial repayment of the general fund advance to the econ dev auth prior to June 30, 2004 in the amount of \$200,000.

Motion by Frisbie, second by Gossman to approve the partial repayment to the general fund in the amount of \$200,000. Poll vote: Alexander, yea; Owens, yea; Gossman, yea; Wehba, nay; Frisbie, yea; Curl, yea; Smith, yea; Olson, yea and Tardibono, yea.

Motion Passed.

5. Discussion and possible action on Resolution #1-04 moving this meeting to the third Tuesday of each month.

Motion by Wehba, second by Gossman to continue this item to the next meeting. Poll vote: Alexander, yea; Owens, nay; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, nay; Smith, nay; Olson, nay and Tardibono, nay.

Motion Failed.

Councilwoman Owens wanted to see if the attorney could change the wording so that the Resolution could be passed at this meeting instead of continuing it to the next meeting. Attorney Luke Simms stated that he could not change the wording correctly on the spur of the moment.

Motion by Owens, second by Wehba to continue this item to the next meeting. Poll vote: Alexander, yea; Owens, yea; Gossman, yea; Wehba, yea; Frisbie, nay; Curl, nay; Smith, yea; Olson, yea and Tardibono, yea.

Motion Passed.

6. Discussion and possible action on setting policies towards businesses and possibly entering into Executive Session as allowed under 25 O.S. Supp 307 (10), All nonprofit foundations, boards, bureaus, commissions, agencies, trusteeships, authorities, councils, committees, public trusts, task forces, or study group supported in whole or part by public funds, or entrusted with the expenditure of public funds for purposes of conferring on matters pertaining to economic development, including the transfer of property, financing, or the creation of a proposal to entice a business to locate within their jurisdiction if public disclosure

of the matter discussed would interfere with the development of products or services or if public disclosure would violate the confidentiality of the business.

Motion by Smith, second by Alexander to enter into executive session. Poll vote: Alexander, yea; Owens, yea; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, yea; Smith, yea; Olson, yea and Tardibono, yea.

Motion Passed Unanimously.

The trustees entered into executive session at 8:55 p.m. after a 10 minute recess.

The trustees +

Motion by Wehba, second by Smith to adjourn. Poll vote: Alexander, nay; Owens, yea; Gossman, nay; Wehba, yea; Frisbie, yea; Curl, yea; Smith, yea; Olson, yea and Tardibono, yea.

Motion Passed.

The meeting was adjourned at 9:46 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk